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Protracted conflicts in the GUAM area and their implications for international peace, security and development

The situation in the occupied territories of Azerbaijan

Letter dated 5 July 2017 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

In accordance with instructions received from my Government, I have the honour to draw your attention to the latest armed provocation by the Republic of Armenia.

On 4 July 2017, the armed forces of Armenia multiply violated the ceasefire, subjecting the armed forces of Azerbaijan along the front line and the nearby inhabited areas to intensive fire with 82- and 120-mm mortars and heavy grenade launchers. As a result of Armenia's attacks, a 51-year-old resident of the village of Alkhanli of the Fizuli district of Azerbaijan, Sahiba Guliyeva, and her 2-year-old granddaughter, Zahra Guliyeva, were killed, and another woman, 52-year-old Sarvinaz Guliyeva, was seriously wounded, while the civilian objects were substantially damaged.

It should be particularly noted that the aforementioned village is situated 4.5-5 km away from the front line, and this very fact, alongside other evidence, proves that the civilians and the civilian objects there were targeted by the armed forces of Armenia directly and deliberately, in blatant violation of international humanitarian law and international human rights law.

The Office of the Public Prosecutor of the Fizuli district of Azerbaijan instituted criminal proceedings for the commission of a crime under the Criminal Code of the Republic of Azerbaijan.

This is not the first instance of such despicable and hateful acts by the Armenian side. Their recurrence would not be possible without the sense of impunity that Armenia enjoys despite its persistent violations of international law and contempt for human rights.

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The war waged by Armenia against Azerbaijan has claimed the lives of tens of thousands of people, ruined cities and livelihoods in the country and resulted in the forcible expulsion of more than 1 million Azerbaijanis from their homes and properties. Serious violations of international humanitarian law amounting to war crimes, crimes against humanity and acts of genocide were committed by the Armenian side in the course of its aggression against Azerbaijan. Such violations include, inter alia, direct and indiscriminate attacks against civilians, the killing of civilians, the taking and holding of hostages, the mistreatment and summary execution of prisoners of war and hostages, sexual violence, the extensive destruction of inhabited areas and public and private property, pillaging and forced displacement.

In 1992, as a result of the attack and capture of the town of Khojaly, in the Nagorno-Karabakh region of Azerbaijan, by the Armenian armed forces, hundreds of Azerbaijanis, including women, children and the elderly, were killed, wounded or taken hostage, while the town was razed to the ground. What happened in Khojaly was the largest massacre in the conflict (see A/71/782-S/2017/110).

Despite the establishment of a ceasefire, attacks on the towns and villages in Azerbaijan situated along the front line of the armed forces of Armenia and Azerbaijan and the border between the two States, have become more frequent and violent in recent times, resulting in the killing and wounding of Azerbaijani servicemen and civilians.

Thus, a 9-year-old resident of the village of Orta Garvand of the Aghdam district of Azerbaijan, Fariz Badalov, was shot dead by an Armenian sniper on 8 March 2011 (see A/65/780-S/2011/132 and A/65/821-S/2011/251); a 13-year-old resident of the village of Alibayli of the Tovuz district of Azerbaijan, Aygun Shahmaliyeva, was killed and her mother, Elnara Shahmaliyeva, was seriously wounded on 14 July 2011 (see A/65/915-S/2011/457).

In the beginning of April 2016, the armed forces of Armenia increased fighting from their positions in the occupied territories of Azerbaijan, subjecting the armed forces of Azerbaijan along the front line and the adjacent densely populated areas to intensive fire with heavy artillery and large-calibre weapons. As a result of Armenia's attacks, 34 towns and villages in Azerbaijan were shelled, causing casualties among civilians and the servicemen of the armed forces of Azerbaijan as well as destroying or substantially damaging private and public property, including residences, schools and kindergartens (see A/70/838-S/2016/363, A/70/842-S/2016/370 and A/71/782-S/2017/110).

Against the background of its persistent refusal to engage in substantive and results-oriented negotiations on the political resolution of the conflict, the provocative actions of the Armenian side is yet further proof of Yerevan's deliberate attempts to escalate the situation on the ground and obstruct the peace process.

The responsibility for the killing and wounding of the residents of the village of Alkhanli in the Fizuli district of Azerbaijan on 4 July 2017, for committing other heinous crimes against the citizens of Azerbaijan during the conflict and for the consequences of such actions lies completely on the Republic of Armenia, including the President and Commander-in-Chief of the armed forces of Armenia, Serzh Sargsyan.

The unlawful presence of the armed forces of Armenia in the occupied territories of Azerbaijan is the main cause of tensions and incidents that claim human lives and cause suffering in the conflict zone and the major impediment to the political settlement of the conflict.

The Government of the Republic of Azerbaijan calls upon the United Nations and Governments to strongly condemn the Republic of Armenia for deliberate attacks on Azerbaijani civilians, demand that those responsible for such acts be brought to justice, commit the leadership of Armenia to cease further provocative actions and hostile policy, comply fully with its international obligations, put a prompt end to its aggression and immediately, completely and unconditionally withdraw its armed forces from the Nagorno-Karabakh region and other occupied territories of Azerbaijan.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda items 32 and 37, and of the Security Council.

(*Signed*) Yashar **Aliyev**
Ambassador
Permanent Representative